

SUPREME COURT OF ILLINOIS

TUESDAY, MARCH 16, 2010

THE COURT MADE THE FOLLOWING ANNOUNCEMENTS:

MISCELLANEOUS RECORD

M.R.21325 - In re: Patrick Clark McClurkin. Disciplinary Commission.

The Court, on March 16, 2009, having continued these reinstatement proceedings and having remanded the cause to the Hearing Board of the Attorney Registration and Disciplinary Commission for the limited purpose of petitioner Patrick Clark McClurkin making restitution in the amount \$40,000 to the insurance companies identified in petitioner's 1988 voluntary disbarment case (In re McClurkin, M.R. 5177 (1988)), with proof of restitution made to the Hearing Board; and the Hearing Board, on December 29, 2009, after an October 23, 2009 remand hearing, having filed its findings of fact and conclusions of law in a report and recommendation, reporting that petitioner has established that he made payments of \$4,000 to each of ten still existing insurance companies, for a total payment of \$40,000 in restitution; and the Hearing Board having found that petitioner has proved by clear and convincing evidence that he satisfied his obligation of restitution; and the Court being fully advised in the premises;

The petition of Patrick Clark McClurkin for leave to file exceptions to the report and recommendation of the Review Board is allowed. The petition of Patrick Clark McClurkin for reinstatement to the roll of attorneys licensed to practice law in Illinois pursuant to Supreme Court Rule 767 is allowed, and petitioner is reinstated to the practice of law in the State of Illinois subject to the following conditions which shall be effective for two (2) years and until further order of the Court:

Attorney James Hardemon shall be appointed as petitioner's mentor for a period of two (2) years, during which time:

a. Petitioner shall report to Mr. Hardemon at least once a week concerning petitioner's practice of law;

b. Mr. Hardemon shall report in writing to the Administrator at least once every three (3) months concerning petitioner's practice of law;

c. Petitioner and Mr. Hardemon shall report to the Administrator any violation of the Illinois Rules of Professional Conduct which petitioner engaged in during the mentoring period; and

d. If Mr. Hardemon is unable to fulfill his role as mentor, petitioner shall immediately inform the Administrator and the Administrator shall appoint a successor mentor.

Order entered by the Court.

M.R.23520 - In re: Gregory James German. Disciplinary Commission.

The motion by the Administrator of the Attorney Registration and Disciplinary Commission to approve and confirm the report and recommendation of the Hearing Board is allowed. Respondent Gregory James German is suspended from the practice of law for two (2) years and until further order of the Court, and, as a condition of reinstatement, respondent shall make restitution to Jeffrey Kenyon in the amount of \$750, plus interest at the rate of 9% per annum, compounded from the date of the Court's order of discipline.

Order entered by the Court.

M.R.23574 - In re: George V. Warren. Disciplinary Commission.

The petition by the Administrator of the Attorney Registration and Disciplinary Commission to impose reciprocal discipline pursuant to Supreme Court Rule 763 is allowed, and respondent George V. Warren, who has been disciplined in the State of Michigan, is disbarred in the State of Illinois.

The motion by respondent George V. Warren for a hearing made in his response to the Administrator's petition is denied.

Order entered by the Court.

M.R.23575 - In re: Celeste Ann Hanlin. Disciplinary Commission.

The petition by the Administrator of the Attorney Registration and Disciplinary Commission to impose reciprocal discipline pursuant to Supreme Court Rule 763 is allowed, and respondent Celeste Ann Hanlin, who has been disciplined in the State of Idaho, is reprimanded in the State of Illinois.

Order entered by the Court.

M.R.23587 - In re: Nathan Andrew Billmaier. Disciplinary Commission.

The motion by Nathan Andrew Billmaier to strike his name from the roll of attorneys licensed to practice law in Illinois pursuant to Supreme Court Rule 762(a) is allowed, effective immediately.

Order entered by the Court.

M.R.23588 - In re: Harold Louis Turner, Jr. Disciplinary Commission.

The petition by the Administrator of the Attorney Registration and Disciplinary Commission to impose discipline on consent pursuant to Supreme Court Rule 762(b) is allowed, and respondent Harold Louis Turner, Jr. is suspended from the practice of law for three (3) months and until he successfully completes the course offered by the Illinois Professional Responsibility Institute.

Suspension effective April 6, 2010.

Respondent Harold Louis Turner, Jr. shall reimburse the Client Protection Program Trust Fund for any Client Protection payments arising from his conduct prior to the termination of the period of suspension.

Order entered by the Court.

M.R.23589 - In re: Jeffrey Bart Hollander. Disciplinary Commission.

The petition by the Administrator of the Attorney Registration and Disciplinary Commission to impose reciprocal discipline pursuant to Supreme Court Rule 763 is allowed, and respondent Jeffrey Bart Hollander, who has been disciplined in the State of Michigan, is disbarred in the State of Illinois.

Order entered by the Court.

M.R.23590 - In re: Robert Eugene Bennett. Disciplinary Commission.

The motion by the Administrator of the Attorney Registration and Disciplinary Commission to approve and confirm the report and recommendation of the Hearing Board is allowed, and respondent Robert Eugene Bennett is suspended from the practice of law for six (6) months and until further order of the Court.

Order entered by the Court.

M.R.23598 - In re: Linda Diane Schlanger. Disciplinary Commission.

The petition by the Administrator of the Attorney Registration and Disciplinary Commission to impose reciprocal discipline pursuant to Supreme Court Rule 763 is allowed, and respondent Linda Diane Schlanger, who has been disciplined in the State of Tennessee, is suspended from the practice of law for five (5) years in the State of Illinois.

Suspension effective April 6, 2010.

Respondent Linda Diane Schlanger shall reimburse the Client Protection Program Trust Fund for any Client Protection payments arising from her conduct prior to the termination of the period of suspension.

Order entered by the Court.

M.R.23609 - In re: Michael Edward Marsh. Disciplinary Commission.

The motion by the Administrator of the Attorney Registration and Disciplinary Commission to approve and confirm the report and recommendation of the Hearing Board is allowed. Respondent Michael Edward Marsh is suspended from the practice of law for four (4) years and until further order of the Court. Respondent shall satisfy the restitution order from the criminal case, People v. Michael E. Marsh, case No. 05 CF 3543, Circuit Court of DuPage County, before petitioning for reinstatement.

The motion by respondent Michael Edward Marsh for retroactive suspension is denied.

Order entered by the Court.

M.R.23610 - In re: Michael Scott Crosby. Disciplinary Commission.

The petition by the Administrator of the Attorney Registration and Disciplinary Commission to impose discipline on consent pursuant to Supreme Court Rule 762(b) is allowed. Respondent Michael Scott Crosby is censured and required to successfully complete the program of the Illinois Professional Responsibility Institute within one (1) year of the final order of discipline.

Order entered by the Court.

M.R.23617 - In re: Jeffery William Green. Disciplinary Commission.

The motion by the Administrator of the Attorney Registration and Disciplinary Commission to approve and confirm the report and recommendation of the Review Board is allowed, and respondent Jeffery William Green is disbarred.

Order entered by the Court.

M.R.23634 - In re: Dennis R. Schumacher. Disciplinary Commission.

The motion by the Administrator of the Attorney Registration and Disciplinary Commission to approve and confirm the report and recommendation of the Hearing Board is allowed, and respondent Dennis R. Schumacher is suspended from the practice of law for one (1) year.

Suspension effective April 6, 2010.

Respondent Dennis R. Schumacher shall reimburse the Client Protection Program Trust Fund for any Client Protection payments arising from his conduct prior to the termination of the period of suspension.

Order entered by the Court.

M.R.23641 - In re: Richard Isaac Fine. Disciplinary Commission.

The petition by the Administrator of the Attorney Registration and Disciplinary Commission to impose reciprocal discipline pursuant to Supreme Court Rule 763 is allowed, and respondent Robert Isaac Fine, who has been disciplined in the State of California, is disbarred in the State of Illinois.

Order entered by the Court.

M.R.23642 - In re: Robert Joseph Repel. Disciplinary Commission.

The petition by the Administrator of the Attorney Registration and Disciplinary Commission to impose discipline on consent pursuant to Supreme Court Rule 762(b) is allowed. Respondent Robert Joseph Repel is suspended from the practice of law for two (2) years and until further order of the Court, with the suspension stayed in its entirety by a two (2) year period of probation subject to the following conditions:

a. Respondent shall abstain from the usage of alcohol and any unprescribed controlled substances;

b. Respondent shall, as required by the Administrator, submit to random substance testing by a qualified mental health professional or facility approved by the Administrator, within eight (8) hours of receiving notice by the Administrator that he shall submit to the testing. The results of the tests shall be reported to the Administrator. Respondent shall pay any and all costs of such testing;

c. Respondent shall attend meetings as scheduled by the Commission probation officer. Respondent shall submit quarterly written reports to the Commission probation officer concerning the status of his practice of law and the nature and extent of his compliance with the conditions of probation;

d. Respondent shall participate in a 12-step program such as Alcoholics Anonymous and/or the Lawyers' Assistance Program, by attending at least one (1) meeting a week. Respondent is to maintain a log of his attendance at the meetings and submit it to the Administrator with his quarterly reports;

e. Respondent shall maintain a sponsor in the 12-step program and shall provide the name, address, and telephone number of the sponsor to the Administrator within fourteen (14) days of being placed on probation. Respondent shall request that the sponsor communicate with the Administrator in writing on a quarterly basis regarding respondent's participation and progress in the 12-step program and report any lapses in sobriety or usage of unprescribed controlled substances to the Administrator within seventy-two (72) hours of his knowledge of that usage;

f. Respondent shall report to the Administrator any lapse in his sobriety or usage of any unprescribed controlled substances within seventy-two (72) hours of that usage;

g. Respondent shall comply with the provisions of Article VII of the Illinois Supreme Court Rules on Admission and Discipline of Attorneys and the Illinois Rules of Professional Conduct and shall timely cooperate with the Administrator in providing information regarding any investigations relating to his conduct;

h. Respondent shall reimburse the Commission for the costs of this proceeding as defined in Supreme Court Rule 773 and shall reimburse the Commission for any further costs incurred during the period of probation;

i. At least thirty (30) days prior to the termination of the period of probation, respondent shall reimburse the Disciplinary Fund for any Client Protection payments arising from his conduct;

j. Respondent shall notify the Administrator within seven (7) days of any arrest or charge alleging his violation of any criminal or quasi-criminal statute or ordinance;

k. Respondent shall notify the Administrator within fourteen (14) days of any change of address; and

l. Probation shall be revoked if respondent is found to have violated any of the terms of probation. The two (2) year period of suspension shall commence from the date of the determination that any term of probation has been violated and shall continue until further order of the Court.

Order entered by the Court.

M.R.23643 - In re: Henry Moss Meersman. Disciplinary Commission.

The motion by the Administrator of the Attorney Registration and Disciplinary Commission to approve and confirm the report and recommendation of the Hearing Board is allowed, and respondent Henry Moss Meersman is disbarred.

Order entered by the Court.

M.R.23657 - In re: Rex Lindsey Reu. Disciplinary Commission.

The petition by the Administrator of the Attorney Registration and Disciplinary Commission to impose discipline on consent pursuant to Supreme Court Rule 762(b) is allowed. Respondent Rex Lindsey Reu is censured and directed to successfully complete the Professionalism Seminar of the Illinois Professional Responsibility Institute within one (1) year of the entry of the final order of discipline.

Order entered by the Court.

M.R.23666 - In re: James Russell Fennerty. Disciplinary Commission.

The petition by the Administrator of the Attorney Registration and Disciplinary Commission to impose discipline on consent pursuant to Supreme Court Rule 762(b) is allowed, and respondent James Russell Fennerty is censured.

Order entered by the Court.

M.R.23675 - In re: Douglas W. Lohmar, Jr. Disciplinary Commission.

The petition by the Administrator of the Attorney Registration and Disciplinary Commission to impose discipline on consent pursuant to Supreme Court Rule 762(b) is allowed. Respondent Douglas W. Lohmar, Jr. is suspended from the practice of law for two (2) years and until further order of the Court, with the suspension stayed in its entirety by a two (2) year period of probation subject to the following conditions:

a. Respondent shall abstain from the usage of alcohol and any unprescribed controlled substances;

b. Respondent shall, as required by the Administrator, submit to random substance testing by a qualified mental health professional or facility approved by the Administrator, within eight (8) hours of receiving notice by the Administrator that he shall submit to the testing. The results of the tests shall be reported to the Administrator. Respondent shall pay any and all costs of such testing;

c. Respondent shall complete his court-ordered Haymarket Center aftercare treatment;

d. Respondent shall reengage in treatment with Samuel Hamburg, Ph.D., or with another board qualified/licensed mental health professional acceptable to the Administrator, including following all treatment recommendations;

e. Respondent shall engage in treatment with an addictionologist acceptable to the Administrator, including following all treatment recommendations;

f. Respondent shall attend meetings as scheduled by the Commission probation officer. Respondent shall submit quarterly written reports to the Commission probation officer concerning the status of his practice of law and the nature and extent of his compliance with the conditions of probation;

g. Respondent shall participate in a 12-step program such as Alcoholics Anonymous and/or the Lawyers' Assistance Program, by attending at least two (2) meetings a week. Respondent is to maintain a log of his attendance at the meetings and submit it to the Administrator with his quarterly reports;

h. Respondent shall maintain a sponsor in the 12-step program and shall provide the name, address and telephone number of the sponsor to the Administrator within fourteen (14) days of being placed on probation. Respondent shall request that the sponsor communicate with the Administrator in writing on a quarterly basis regarding respondent's participation and progress in the 12-step program and report any lapses in sobriety or usage of unprescribed controlled substances to the Administrator within seventy-two (72) hours of his knowledge of that usage;

i. Respondent shall report to the Administrator any lapse in his sobriety or usage of any unprescribed controlled substances within seventy-two (72) hours of that usage;

j. Respondent shall comply with the provisions of Article VII of the Illinois Supreme Court Rules on Admission and Discipline of Attorneys and the Illinois Rules of Professional Conduct and shall timely cooperate with the Administrator in providing information regarding any investigations relating to his conduct;

k. Respondent shall reimburse the Commission for the costs of this proceeding as defined in Supreme Court Rule 773 and shall reimburse the Commission for any further costs incurred during the period of probation;

l. At least thirty (30) days prior to the termination of the period of probation, respondent shall reimburse the Disciplinary Fund for any Client Protection payments arising from his conduct;

m. Respondent shall notify the Administrator within seven (7) days of any arrest or charge alleging his violation of any criminal or quasi-criminal statute or ordinance;

n. Respondent shall notify the Administrator within fourteen (14) days of any change of address; and

o. Probation shall be revoked if respondent is found to have violated any of the terms of probation. The two (2) year period of suspension shall commence from the date of the determination that any term of probation has been violated and shall continue until further order of the Court.

Order entered by the Court.

M.R.23677 - In re: Michael D. Ferreira. Disciplinary Commission.

The motion by the Administrator of the Attorney Registration and Disciplinary Commission to approve and confirm the report and recommendation of the Hearing Board is allowed, and respondent Michael D. Ferreira is suspended from the practice of law for six (6) months and until further order of the Court.

Order entered by the Court.

M.R.23693 - In re: Michael Howard Lavin. Disciplinary Commission.

The petition by the Administrator of the Attorney Registration and Disciplinary Commission to impose discipline on consent pursuant to Supreme Court Rule 762(b) is allowed. Respondent Michael Howard Lavin is censured and directed to successfully complete the Professionalism Seminar of the Illinois Professional Responsibility Institute within one (1) year of the entry of the final order of discipline.

Order entered by the Court.

M.R.23694 - In re: John P. Wolgamot. Disciplinary Commission.

The motion by John P. Wolgamot to strike his name from the roll of attorneys licensed to practice law in Illinois pursuant to Supreme Court Rule 762(a) is allowed, effective immediately.

Order entered by the Court.

Garman, J., took no part.